

**ORDINANCE NO.** 0311-2019

**AN ORDINANCE REGULATING TRAFFIC**

WHEREAS, the corporate authorities of the City of Shawneetown, Gallatin County, Illinois desire to promulgate rules and regulations necessary to carry into effect the regulation of traffic within the corporate limits of the City of Shawneetown.

WHEREAS, the corporate authorities of the City of Shawneetown, Gallatin County, Illinois find that it is in the best interests of the health, safety, and welfare of the residents of the City of Shawneetown to enact a traffic control ordinance for purposes of local enforcement within the corporate limits of the City of Shawneetown; and

WHEREAS, the corporate authorities of a municipality are authorized by 625 ILCS 5/20-204 to adopt all or any portion of the Illinois Vehicle Code by reference; and

WHEREAS, the corporate authorities of the City of Shawneetown, Gallatin County, Illinois, have reviewed the Illinois Vehicle Code and have determined that it is proper and necessary to adopt the Illinois Vehicle Code in order to carry into effect the powers granted to municipalities pursuant to 65

ILCS 5/1-2-1 and 625 ILCS 5/11-208 to regulate traffic within the corporate limits of the City of Shawneetown; and

NOW THEREFORE, be it ORDAINED by the City Council of The City of Shawneetown, Gallatin County, Illinois, as follows:

1. The City of Shawneetown hereby adopts and incorporates by reference the Illinois Vehicle Code and subsequent amendments thereto (625 ILCS 5/1-100 et seq.), and makes those paragraphs and sections part of this ordinance with the same force and effect as though set out in full herein.

2. No person shall violate those provisions of the Illinois Vehicle Code so adopted by the City of Shawneetown.

3. Law enforcement officials of the City of Shawneetown shall be authorized to issue uniform citations or tickets to those persons, firms, and/or corporations who commit offenses described in the Illinois Vehicle Code in violation of this ordinance. Those uniform citations and tickets shall be verified as provided in Section 1-109 of the Code of Civil Procedure and shall contain, at minimum, the following:

- a. The name of the prosecuting entity ("The City of Shawneetown, Illinois");
- b. The name of the defendant and his or her address, if known;
- c. The nature of the offense and a reference to the relevant ordinance;
- d. A statement whether the defendant is required to appear in court and, if so, the date, time and place of appearance;
- e. If applicable, the steps the defendant can take to avoid an otherwise required appearance;

- f. A statement that the defendant may demand a jury trial by filing a jury demand and paying a jury demand fee when entering his or her appearance, plea, answer to the charge, or other responsive pleading; and
- g. A statement that a default judgment may be entered in the event the person fails to appear in court or answer the charge made on the date set for the defendant's court appearance or any date to which the case is continued. The statement must also contain the specific amount of any default judgment.

4. Any violation of those provisions of the Illinois Vehicle Code adopted hereunder shall hereafter be considered a violation of this ordinance.

The penalties for such violations shall be as follows:

a. Violation of any provision of the Illinois Vehicle Code as adopted herein unless otherwise specified, or of any offenses classified as "petty" offenses under the Illinois Vehicle Code shall be punishable by a fine of not less than Seventy-Five Dollars (\$75.00) or more than Seven Hundred Fifty Dollars (\$750.00) for each offense. In addition, the penalty for such violations may also include, or consist of, requirements pursuant to 65 ILCS 5/1-2-1 that the defendant complete an education program and/or perform some reasonable public service work.

b. Offenses classified as "business" offenses under the provisions of the Illinois Vehicle Code shall be punishable as set forth in the Illinois Vehicle Code.

5. If any section, paragraph, clause, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance.

**CERTIFICATE OF ADOPTION**

I, Nancy Larkin, the duly elected Clerk of the City of Shawneetown certify that the foregoing Ordinance is a true and correct copy of the Ordinance enacted by the City Council of the City of Shawneetown on the 11th day of March, 2019.

*Nancy Larkin*  
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Nancy Larkin, City Clerk  
City of Shawneetown

